

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MAHESH KUMAR PATHAK,
Petitioner,

v.

MICHAEL CHERTOFF, et al.,
Respondents.

NO. C07-4691 TEH

ORDER TO SHOW CAUSE

The Court is in receipt of Petitioner Mahesh Kumar Pathak's petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241. Because it does not "appear[] from the application" that Petitioner is not entitled to habeas relief, the Court hereby orders Respondents "to show cause why the writ should not be granted." 28 U.S.C. § 2243. Accordingly, IT IS HEREBY ORDERED that:


1. The Clerk of the Court shall serve by certified mail a copy of this order upon Respondents' counsel, the United States Attorney for the Northern District of California. This case has been designated for electronic filing, and Respondents' counsel can therefore access the petition via the Court's electronic case filing ("ECF") system.

2. On or before **Monday, October 15, 2007**, Respondents shall file and serve an answer showing cause why this Court should not issue a writ of habeas corpus. In addition, Respondents shall file with his answer a copy of all portions of the administrative record that have been transcribed previously and that are relevant to a determination of the issues presented by the petition.

1 3. If Petitioner wishes to respond to the answer, he shall do so by filing a traverse
2 with the Court and serving it upon Respondents on or before **Tuesday, November 13, 2007.**

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4 **IT IS SO ORDERED.**

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6 Dated: 09/13/07



THELTON E. HENDERSON, JUDGE
UNITED STATES DISTRICT COURT